

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Alan FARER, *et al.*

Application No.: 10/520,561                      Examiner: YU, Gina C.

Date Filed: January 7, 2005                      Group: 1617

Attorney Docket: 3975.038                      Conf. No.: 5265

For: MOISTURE-PROOF MASCARA COMPOSITION

COMMUNICATION

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

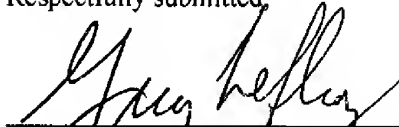
Alexandria, VA 22313-1450

Dear Sir:

Applicants file the accompanying request for continued examination in order to ensure that the references found in the accompanying Supplemental Information Disclosure Statement (IDS) are considered by the Examiner. Applicants do not believe that the references identified in the accompanying IDS render the claims unpatentable or even that they are more relevant than the references previously cited by the Examiner. However, Applicants file the attached IDS in order to comply with their duty of disclosure pursuant to 37 C.F.R. 1.56.

The application is believed to be in condition for immediate allowance. If any issues remain outstanding, Applicant invites the Examiner to call the undersigned Greg Lefkowitz at 561-671-3624 (direct line) if it is believed that a telephone interview would expedite the prosecution of the application to an allowance.

Respectfully submitted,



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Date: January 16, 2009

Docket No. 3975-038